

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RAUL SIANCAS, *individually and on
behalf of all others similarly situated,*

Plaintiffs,

v.

Rallye Motors, LLC, Rallye Motors
Holding LLC, Rallye Leasing, Inc., Rallye
Glen Cove, LLC, Rallye Northern, LLC,
Rallye Roslyn, LLC, Rallye Roslyn
Holding, LLC, Rallye Westbury, LLC, and
Exclusive Detailing, Inc.

Defendants.

AFFIDAVIT OF LISA AGOLIA

2:14-CV-06151-JS-SIL

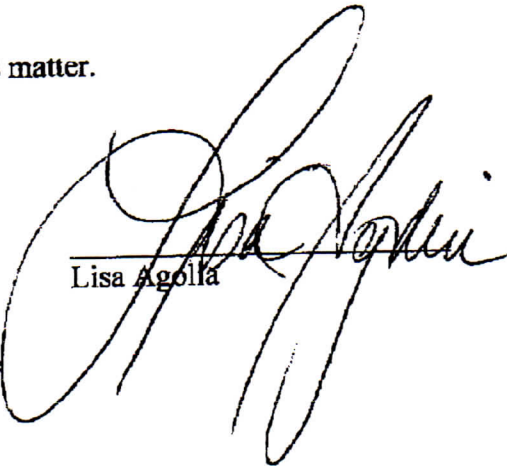
State of New York }
 }ss:
County of New York }

LISA AGOLIA, being duly sworn, states as follows:

1. I am Lisa Agolia, the wife of defendant Michael Agolia, in the above captioned matter. I submit this affidavit in opposition to Plaintiffs' Motion for Leave to Amend Complaint.
2. I have personal knowledge of the facts asserted in this affidavit.'
3. Michael Agolia is the sole owner of Exclusive Detailing, Inc. (hereinafter "EDI").
4. I work solely as a part time employee from home for EDI. I have no ownership in EDI, and no managerial role whatsoever in EDI.
5. I have reviewed the statements in Plaintiffs' Proposed Amended Complaint that seek to add me as a defendant in this action under employer liability pursuant to Federal Labor Standards Act ("FLSA"), however, there is no basis for these allegations.

6. I have never held any managerial responsibilities at EDI. I was also never responsible for hiring, firing or setting the rate of pay for employees at EDI.
7. Plaintiffs' allege that I was a signatory of payroll issued checks for the payment of wages to employees, and as result, I should be identified as a principal of EDI.
8. I never signed any payroll checks. When my husband set up EDI, he put my name on the bank account and created a rubber stamp of my signature. He did this so that if he was ever incapacitated or not readily available, he could ask me to issue a check. It was purely an administrative role.
9. During the course of business, EDI's "book keeper" was in charge of processing the employee payroll for EDI. He was provided with the rubber stamp of my signature, and stamped my name on the payroll checks.
10. Quite frankly, I was not even aware that they were even using the rubber stamp with my signature on it for the payroll checks.
11. I am primarily a stay at home mother. I take care of my daughter and my husband.
12. To assist my husband's business, I do some administrative tasks from our home, such as photo copying, filing, and ordering supplies. My role is limited to a few hours a week at best.
13. Based on the above, I should not be a defendant in this matter.

Date: November 2, 2015


Lisa Agolla